

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC.,)	
a Delaware corporation,)	
)	
Plaintiff-Counterdefendant,)	Civil Action No. 08-862-LPS
)	
v.)	
)	
FACEBOOK, INC.,)	
a Delaware corporation,)	
)	
Defendant-Counterclaimant.)	

**DECLARATION OF PAUL ANDRE IN SUPPORT OF PLAINTIFF LEADER
TECHNOLOGIES, INC.'S RENEWED MOTION FOR JUDGMENT AS A MATTER OF
LAW OR A NEW TRIAL PURSUANT TO RULES 50(b) AND 59 OF
THE FED. R. CIV. P.**

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*Attorneys for Plaintiff and Counterdefendant
Leader Technologies, Inc.*

Dated: August 25, 2010

I, Paul Andre, hereby declare as follows:

1. I am an attorney with the law firm King & Spalding LLP, counsel for Plaintiff Leader Technologies, Inc. I have personal knowledge of the facts set forth in this declaration and can testify competently to those facts. I make this declaration in support of Plaintiff Leader Technologies, Inc.'s Renewed Motion for Judgment as a Matter of Law or a New Trial Pursuant to Rules 50(b) and 59 of the Fed. R. Civ. P. ("Leader's Motion").

2. Attached hereto is a true and correct copy of documents referenced in Leader's Motion:

Exhibit	Trial Exhibit	Description
1	PTX 1	U.S. Patent No. 7,139,761, bearing bates numbers LTI 000001-31.
2	PTX 3	Provisional Application for U.S. Patent No. 7,139,761, dated December 11, 2002, bearing bates numbers LTI 000742-60.
3	PTX 145	Facebook Platform White Paper, dated March 24, 2009, bearing bates numbers FB 00109890-91.
4	PTX 628	Facebook Terms of Use, dated September 23, 2008, bearing bates numbers LTI 000717-24.
5	PTX 773	Beta Agreement between Leader Technologies, Inc. and Limited Brands, Inc., dated January 23, 2003, bearing bates numbers LTI 022231-39.
6	PTX 886	Facebook web page, Creating and Uploading Photos, bearing bates numbers LTI 156902-05.
7	PTX 920	Facebook web page, Using the Publisher, bearing bates numbers LTI 157010-11.
8	PTX 1000	Facebook Statement of Rights and Responsibilities, accessed on April 8, 2010, bearing bates numbers LTI 157155-57.

Exhibit	Trial Exhibit	Description
9	PTX 1058	Non-Disclosure Agreement between Leader Technologies, Inc. and Douglas W. Fleser, dated April 10, 2001, bearing bates numbers LTI 149069-77.
10	PTX 1125	Pseudo code implementation of Context and Tracking Components
11	PTX 1234	Broad Agency Announcement (BAA) and Program Research & Development (PRDA) Industry Guide, dated May 2001.
12	DTX 178	Letter regarding Leader Report from Michael McKibben, dated December 10, 2001, bearing bates numbers LTI 014121-27.
13	DTX 179	Leader Technologies LLC White Paper "Advanced Cross-Platform Communications & Anti-terrorism Command Center Prototype," dated January 9, 2002, bearing bates numbers LTI 048195-206.
14	DTX 181	E-mail from Steve Hanna to Karen Houser, dated August 29, 2002, bearing bates numbers LTI 145929-32.
15	DTX 182	E-mail from Nancy McKibben to Michael McKibben, dated December 3, 2002, bearing bates numbers LTI 102315-17.
16	DTX 184	E-mail from Steve Hanna to cwwall@computerwizards.com, dated October 10, 2002, bearing bates numbers LTI 105611-13.
17	DTX 185	E-mail from Michael McKibben to Len Schlesinger, dated November 21, 2002, bearing bates numbers LTI 074788-89.
18	DTX 679	Service Provider Agreement between Limited Technologies, Inc. and Boston Scientific Corporation, dated July 16, 2003, bearing bates numbers LTI 006441-54.
19	Excerpt of DTX 725	Non-Disclosure Agreement between Leader Technologies, Inc. and Vincent Russo, dated April 2, 2001, bearing bates numbers LTI 153001-03.

Exhibit	Trial Exhibit	Description
20	Excerpt of DTX 725	Non-Disclosure Agreement between Leader Technologies LLC and Len Schlesinger, dated June 7, 2001, bearing bates numbers LTI 151129-37.
21	DTX 776	E-mail from Steve Hanna to cwwall@computerwizards.com, dated November 26, 2002, bearing bates numbers LTI 111341-42.
22	DTX 852	Leader Technologies LLC Quad Chart, bearing bates numbers LTI 049126-27.
23	DTX 963	Leader Technologies, Inc.'s First Supplemental Responses to Facebook, Inc.'s Interrogatories Nos. 3 and 9 (REDACTED)
24	DTX 969	Leader Technologies, Inc.'s Second Supplemental Response to Facebook, Inc.'s Interrogatory No. 1, First Supplemental Responses to Facebook's Interrogatory Nos. 4, 11-17 and Third Supplemental Responses to Facebook's Interrogatory No. 9 (REDACTED)
25	DTX 1348	E-mail from Steve Hanna to cwwall@computerwizards.com, dated April 3, 2001, bearing bates number LTI 103307.
26		Transcript of Trial Proceedings, Pages 372-73, 387, 392-94, 445, 452-53, 468, 677-79, 1257-58, 1260-62, 1300-03, 1316-20, 1324-34, 1337, 1340-45, 1356-61, 1363-67, 1374, 1411, 1413-16, 1424, 1429, 1431, 1463-91, 1505-16, 1518-35, 1544-61, 1739-87, 2012, 2038, 2046, 2049-50, 2062

I declare under penalty of perjury under the laws of the State of California and the United States that each of the above statements is true and correct. Executed on August 25, 2010 in Redwood Shores, California.


 Paul Andre

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on August 25, 2010, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY CM-ECF AND E-MAIL

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I hereby certify that on August 25, 2010 I have sent by E-mail the foregoing document to the following non-registered participants:

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